

Federal Register

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May 13, 1996

Part VII

Department of Energy

Semiannual Regulatory Agenda

DEPARTMENT OF ENERGY (DOE)

DEPARTMENT OF ENERGY

10 CFR Chs. II, III, and X

48 CFR Ch. 9

Regulatory Agenda

AGENCY: Department of Energy.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Department of Energy has prepared and today is publishing its April 1996 regulatory agenda pursuant to instructions of the Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), dated January 2, 1996.

FOR FURTHER INFORMATION CONTACT: For further information about any particular item on the regulatory agenda, please contact the individual listed under that item. For further information on the regulatory agenda in general, please contact: Richard L. Farman, Room 6E-078, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-8145.

SUPPLEMENTARY INFORMATION: The Department is continuing with its efforts to make its rulemakings less burdensome, more cost-effective, and more responsive to needs of its stakeholders, while continuing to protect health, safety, and the environment. Specifically, the Department's goal is to eliminate 33 percent of its pages in the Code of Federal Regulations and to reinvent or streamline 55 percent of its pages. As of March 15, 1996, the Department had eliminated 24 percent and reinvented 9 percent of its CFR pages. The Department had issued proposed rules to eliminate an additional 1 percent and reinvent an additional 7 percent of its CFR pages.

As reported in its October 1995 regulatory plan, the Department's rulemaking efforts with respect to energy efficiency standards for appliances may be restricted by a rider attached to fiscal year 1996 appropriations legislation. This rider, if enacted, would prohibit the Department from using fiscal year 1996

appropriations for the issuance of any proposed or final energy efficiency standards for appliances. This uncertainty has caused the Department to reconsider, with its stakeholders, the schedules for rulemakings on appliance standards and related matters. These schedules are likely to be revised in light of this reconsideration.

Regulatory Agenda Format

Regulatory agenda entries reflect the status of activities as of approximately March 25, 1996. They are divided into categories, first by program offices and then according to their stage of rulemaking action: Prerule, proposed rulemaking, final rulemaking, or completed action.

A draft of this regulatory agenda has been transmitted to the Chief Counsel for Advocacy of the Small Business Administration for comment, if any, pursuant to 5 U.S.C. 602(b).

Issued in Washington, DC, on March 15, 1996.

Robert R. Nordhaus,
General Counsel.

Energy Efficiency and Renewable Energy—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
864	Private/Local Alternative Fuels Fleet Program	1904-AA72

Energy Efficiency and Renewable Energy—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
865	Test Procedures for Central Air Conditioners and Heat Pumps—Amendments	1904-AA46
866	Energy Efficiency Performance Code for New Federal Residential Buildings	1904-AA53
867	Energy Efficiency Standards for Federal Commercial Buildings	1904-AA69
868	Test Procedures and Certification Requirements for Certain Plumbing Fixtures; and Certification Requirements for Residential Appliances	1904-AA71
869	Energy Conservation Program for Certain Commercial and Industrial Equipment: Test Procedures, Labeling, and Certification Requirements for Electric Motors	1904-AA82

Energy Efficiency and Renewable Energy—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
870	Equivalent Petroleum-Based Fuel Economy Calculation for Electric and Hybrid Electric Vehicles	1904-AA40
871	Test Procedures for Furnaces/Boilers, Vented Home Heating Equipment, and Pool Heaters—Amendment	1904-AA45
872	Test Procedures for Water Heaters, Kitchen Ranges, Ovens and Microwaves—Amendment	1904-AA52
873	Test Procedures for Fluorescent and Incandescent Reflector Lamps	1904-AA61
874	Alternative Fuel Provider Vehicle Acquisition Mandate, State Fleet Mandate, and the Alternative Fuel Vehicle Credit Program	1904-AA64
875	Clothes Washer Test Procedure Amendments	1904-AA68

DOE**Energy Efficiency and Renewable Energy—Final Rule Stage (Continued)**

Sequence Number	Title	Regulation Identifier Number
876	National Voluntary Residential Energy Efficiency Rating Guidelines	1904-AA74
877	Methodology and Procedures for Life Cycle Costing Under the Energy Policy Act of 1992	1904-AA80
878	State Energy Program	1904-AA81

Energy Efficiency and Renewable Energy—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
879	Energy Efficiency Standards for Pool Heaters, Direct Heating Equipment, Mobile Home Furnaces, Kitchen Ranges and Ovens, Oil and Gas Water Heaters, and Room Air Conditioners	1904-AA38
880	Energy Efficiency Standards for Refrigerators, Refrigerator-Freezers, and Freezers	1904-AA47
881	State and Local Incentives Program: Alternative Fuels	1904-AA66
882	Energy Efficiency Standards for Dishwashers, Clothes Washers, and Clothes Dryers	1904-AA67
883	Energy Efficiency Standards for Lamp Ballasts	1904-AA75
884	Energy Efficiency Standards for Water Heaters	1904-AA76
885	Energy Efficiency Standards for Central Air Conditioners and Heat Pumps	1904-AA77
886	Energy Efficiency Standards for Furnaces	1904-AA78

Energy Efficiency and Renewable Energy—Completed Actions

Sequence Number	Title	Regulation Identifier Number
887	Definitions for Certain Fluorescent and Incandescent Lamps	1904-AA70
888	Weatherization Assistance Program—Amendment	1904-AA73

Defense and Security Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
889	Policies on Information Classification	1992-AA21

Defense and Security Affairs—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
890	Personnel Assurance Program	1992-AA14

Departmental and Others—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
891	Energy Board of Contract Appeals; Organization, Functions, and Authorities; Rules of Practice	1901-AA30
892	Freedom of Information	1901-AA32
893	Nuclear Safety Management	1901-AA34
894	The Office of Energy Research Financial Assistance Program	1901-AA54
895	Payments for Special Burdens and in Lieu of Taxes	1901-AA58
896	Occupational Radiation Protection—Amendment	1901-AA59
897	Privacy Act—Exemption of an Inspector General System of Records	1901-AA62
898	Privacy Act Exemption of Certain Contractor Employee Reprisal Complaint and Investigation System of Records	1901-AA66

DOE**Departmental and Others—Proposed Rule Stage (Continued)**

Sequence Number	Title	Regulation Identifier Number
899	Amendments to NEPA Regulations	1901-AA67
900	General Guidelines for the Recommendation of Sites for Nuclear Waste Repository	1901-AA72

Departmental and Others—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
901	Radiation Protection of the Public and the Environment	1901-AA38
902	Redesign and Revision of Wholesale Power and Transmission Rates	1901-AA64

Departmental and Others—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
903	Electric Power System Permits and Reports; Applications; Administrative Procedures and Sanctions	1901-AA19
904	Enforcement of Employee Safety Standards at Nuclear Weapons Facilities	1901-AA44
905	Standard Contract for the Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste	1901-AA49
906	Annotation of Land Records for Remediated Properties in the Uranium Mill Tailings Remedial Action Project (UMTRA)	1901-AA57
907	Privacy Act System of Records Update	1901-AA69
908	Privacy Act System of Records Amendment for Employee Assistance Program	1901-AA70
909	Environmental Management Financial Assistance Program	1901-AA71

Departmental and Others—Completed Actions

Sequence Number	Title	Regulation Identifier Number
910	Financial Assistance Program for Education Purposes	1901-AA61
911	Privacy Act System of Records Notice	1901-AA68

Office of Procurement and Assistance Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
912	Department of Energy Property Management Regulations; Miscellaneous Personal Property	1991-AA28
913	DEAR: Financial Management Clauses	1991-AB02
914	Debarment and Suspension	1991-AB24
915	DEAR: Regulatory Reinvention-Phase III	1991-AB25
916	Revisions to Organizational Conflicts of Interest	1991-AB26
917	Contract Reform	1991-AB28
918	FASA 1994, Sections 2051, 2151, and 2192	1991-AB29
919	Security, Counterintelligence, and Options	1991-AB30
920	FARA, DOE Certification Requirements	1991-AB31

Office of Procurement and Assistance Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
921	Amendment to Workplace Substance Abuse Programs at DOE Sites	1991-AA90

DOE**Office of Procurement and Assistance Management—Final Rule Stage (Continued)**

Sequence Number	Title	Regulation Identifier Number
922	Competition for Management and Operating Contracts	1991-AB09
923	Federal Acquisition Streamlining Act Implementation	1991-AB27

Office of Procurement and Assistance Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
924	DEAR: Security Procedures	1991-AA86
925	DEAR: Amendment to Workplace Substance Abuse Programs at DOE Sites	1991-AA97
926	DEAR: Review of M&O Contractor Purchasing Systems	1991-AB07
927	Small Business Subcontracting Program	1991-AB17

Office of Procurement and Assistance Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
928	Technology Transfer: DOE Management and Operating Contractors	1991-AA63
929	Legislative Lobbying Cost Prohibition	1991-AB08
930	Limits on Participation in Certain DOE Research and Development Programs	1991-AB14
931	Financial Assistance Rules Streamlining and Simplifying Procedures	1991-AB23

Office of General Counsel—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
932	Payment of Travel Expenses of Persons Who Are Not Government Employees	1990-AA15
933	Conduct of Employees	1990-AA19

Office of General Counsel—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
934	Patent Waiver Regulation	1990-AA02

Office of General Counsel—Completed Actions

Sequence Number	Title	Regulation Identifier Number
935	Removal of Obsolete Regulations, Part II	1990-AA23

DEPARTMENT OF ENERGY (DOE)**Prerule Stage****Energy Efficiency and Renewable Energy (EE)****864. PRIVATE/LOCAL ALTERNATIVE FUELS FLEET PROGRAM****Priority:** Economically Significant**Legal Authority:** 42 USC 13257 Energy Policy Act, sec 507(b)**CFR Citation:** 10 CFR 490**Legal Deadline:** Final, Statutory, December 15, 1996.

Alternative Final Statutory Deadline is January 1, 2000.

Abstract: The Energy Policy Act of 1992 requires DOE to initiate a rulemaking to determine whether a private and local fleet program is deemed necessary to meet the fuel displacement goals in the Act. The criteria for making this determination are mandated by the Act.**Timetable:**

Action	Date	FR Cite
ANPRM	04/00/96	
NPRM	07/00/96	

Small Entities Affected: None**Government Levels Affected:** Local**Agency Contact:** David Rodgers, Program Manager (EE-33), Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-7182
Fax: 202 586-1610**RIN:** 1904-AA72**DEPARTMENT OF ENERGY (DOE)****Proposed Rule Stage****Energy Efficiency and Renewable Energy (EE)****865. TEST PROCEDURES FOR CENTRAL AIR CONDITIONERS AND HEAT PUMPS—AMENDMENTS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 6293**CFR Citation:** 10 CFR 430**Legal Deadline:** None**Abstract:** These revisions to the test procedures for central air conditioners and heat pumps in accordance with the Energy Policy and Conservation Act, as amended, will reorganize the document in a logical order and update the references. The revisions include an updated nomenclature compatible with the eventual test procedure for conamed appliances, additional tables listing tests tolerances, a clearer specification for the demand defrost credit, and test methods for ECM blowers and history-dependent defrosts.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Michael Raymond, Program Leader, Appliance Standards Division, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-9611

Fax: 202 586-4617

Email: michael.raymond@hq.doe.gov

RIN: 1904-AA46**866. ENERGY EFFICIENCY PERFORMANCE CODE FOR NEW FEDERAL RESIDENTIAL BUILDINGS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 6834 Energy Policy Act of 1992, sec 101(a)(2)**CFR Citation:** 10 CFR 435**Legal Deadline:** Final, Statutory, October 24, 1994.**Abstract:** Title III of the Energy Conservation and Production Act as amended by the Energy Policy Act of 1992 (PL 102-486, October 24, 1992) provides that DOE establish Federal building energy standards that require in new Federal buildings those energy efficiency measures that are technologically feasible and economically justified. The standards for Federal buildings are intended to parallel closely the voluntary building energy codes of the Energy Policy Act for private sector construction. Interim energy performance standards which DOE had issued before enactment of the Energy Policy Act are to remain in effect for the Federal sector until the new Federal building energy standards become effective.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/96	
Final Action	01/00/97	

Small Entities Affected: None**Government Levels Affected:** Federal**Agency Contact:** Stephen P. Walder, Program Manager, Building Division, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 301 586-9209**RIN:** 1904-AA53**867. ENERGY EFFICIENCY STANDARDS FOR FEDERAL COMMERCIAL BUILDINGS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 6834 Energy Policy Act of 1992, sec 101(a)(2)**CFR Citation:** 10 CFR 434**Legal Deadline:** Final, Statutory, October 24, 1994.**Abstract:** Title III of the Energy Conservation and Product Act as amended by the Energy Policy Act of 1992 (PL 102-486, October 24, 1992) provides that DOE establish Federal building energy standards that require in new Federal buildings those energy efficiency measures that are technologically feasible and economically justified. The standards

DOE—EE

Proposed Rule Stage

for Federal buildings are intended to parallel closely the voluntary building energy codes of the Energy Policy Act for private sector construction. Interim energy performance standards which DOE had issued before enactment of the Energy Policy Act are to remain in effect for the Federal sector until the new Federal building energy standards become effective.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Ronald B. Majette, Program Manager, Buildings Division, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-7935

RIN: 1904-AA69

868. TEST PROCEDURES AND CERTIFICATION REQUIREMENTS FOR CERTAIN PLUMBING FIXTURES; AND CERTIFICATION REQUIREMENTS FOR RESIDENTIAL APPLIANCES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6293; 42 USC 6295

CFR Citation: 10 CFR 430.2; 10 CFR 430.32

Legal Deadline: None

Abstract: This action is intended to incorporate statutory plumbing requirements into the Code of Federal Regulations, propose provisions to supplement the statutory requirements to facilitate the monitoring and administration of compliance for plumbing products, and propose amendments to clarify the existing certification and enforcement requirements for all covered residential appliances.

Timetable:

Action	Date	FR Cite
NPRM	08/00/96	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: William W. Hui, Program Manager, Appliance Standard Division, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-9145
Fax: 202 586-4617
Email: william.hui@hq.doe.gov

RIN: 1904-AA71

869. • ENERGY CONSERVATION PROGRAM FOR CERTAIN COMMERCIAL AND INDUSTRIAL EQUIPMENT: TEST PROCEDURES, LABELING, AND CERTIFICATION REQUIREMENTS FOR ELECTRIC MOTORS

Priority: Other Significant

Legal Authority: PL 94-163; 42 USC 6291 to 6299; PL 95-619; 42 USC 6311 to 6317; PL 102-486

CFR Citation: 10 CFR 431

Legal Deadline: Final, Statutory, October 24, 1997.

Abstract: The Energy Policy and Conservation Act of 1975, as amended, establishes energy efficiency standards for commercial and industrial electric motors, prescribes test procedures, and requires labeling for such equipment. The Department proposes to create a new part (10 CFR Part 431) in the Code of Federal Regulations. This action will establish procedures for energy efficiency testing, labeling, and certification requirements for certain commercial and industrial electric motors.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James Raba, Energy Conservation Program Specialist, Department of Energy, Energy Efficiency and Renewable Energy, EE-431, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8654
Fax: 202 586-4617
Email: jim.raba@hq.doe.gov

RIN: 1904-AA82

DEPARTMENT OF ENERGY (DOE)

Final Rule Stage

Energy Efficiency and Renewable Energy (EE)

870. EQUIVALENT PETROLEUM-BASED FUEL ECONOMY CALCULATION FOR ELECTRIC AND HYBRID ELECTRIC VEHICLES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 96-185, sec 18; PL 94-413, sec 13(c); PL 94-163, sec 503(a)(3); PL 103-272

CFR Citation: 10 CFR 474

Legal Deadline: None

Abstract: The final rule on the inclusion of electric vehicles in the Corporate Average Fuel Economy (CAFE) program was issued by DOE on April 15, 1981. It established a methodology for determining the equivalent petroleum-based fuel

economy (PEF) for electric vehicles so that they could be included in a manufacturer's overall CAFE program. This methodology was based on several factors including the energy efficiency of the vehicle, the efficiency of electric generation and transmission, the fuels used to generate electricity, and the driving patterns of electric vehicles. It established a method for determining the PEF of electric vehicles that are recharged from stationary sources only. Hybrid electric vehicles, a type of

DOE—EE

Final Rule Stage

electric vehicle, are electrically recharged by an on-board mobile generator. This rulemaking would establish a methodology that is necessary for calculating the CAFE credits for electric vehicles that are recharged by mobile sources, and would update the methodology for calculating the CAFE credits for electric vehicles that are recharged by stationary sources. Rulemaking authority for establishing PEF values for electric and hybrid electric vehicles is provided under Public Law 103-272 (49 USC 32904).

Timetable:

Action	Date	FR Cite
NPRM	02/04/94	59 FR 5336
Final Action	09/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Report comparing Alternative Motor Fuels Act with existing rule completed April 1992. Second report recommending new Petroleum Equivalency Factor for NPRM completed May 1992. Final rule incorporates industry standards that are still under development. Completion of industry standards will determine date of final action.

Agency Contact: David Hamilton, Program Manager, Electric and Hybrid Propulsion Division, Department of Energy, Energy Efficiency and Renewable Energy, EE-321, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-2314
Fax: 202 586-1600

RIN: 1904-AA40

871. TEST PROCEDURES FOR FURNACES/BOILERS, VENTED HOME HEATING EQUIPMENT, AND POOL HEATERS—AMENDMENT

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: These revisions to the test procedures for furnaces and boilers,

vented home heating equipment and pool heaters in accordance with the Energy Policy and Conservation Act, as amended, would incorporate by reference ASHRAE Standard 103-1993 and would include waivers granted to manufacturers. This revision is prompted by the ASHRAE revision of Standard 103-1983 and the need to include waivers granted to manufacturers. DOE reopened the comments period on January 20, 1995, regarding new energy descriptors and a cost factor for the production and use of electricity. Based on the comments received, DOE has decided to eliminate the new energy descriptors and to issue a final rule based on the existing energy descriptor.

Timetable:

Action	Date	FR Cite
NPRM	08/23/93	58 FR 44583
NPRM Comment Period End	03/21/95	60 FR 4348
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Cyrus Nasser, Program Leader, Appliance Standards Division, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585-0103
Phone: 202 586-9138

RIN: 1904-AA45

872. TEST PROCEDURES FOR WATER HEATERS, KITCHEN RANGES, OVENS AND MICROWAVES—AMENDMENT

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: In accordance with the Energy Policy and Conservation Act as amended, the test procedures for water heaters, kitchen ranges, ovens, microwaves, and clothes washers are being revised. Rulemaking issues include: with respect to water heater test procedures, inclusion of electric instantaneous water heaters and storage

water heaters with less than 20 gallons volume and revision of the first hour rating; with respect to test procedures for kitchen ranges, ovens and microwaves, revision of the constant for annual cooking energy and incorporation by reference of test procedures adopted by the International Electrotechnical Commission; and with respect to clothes washer test procedures, measurements for water usage and water retention.

Test procedures for clothes washers will be issued in a different rulemaking (see RIN 1904-AA68).

Timetable:

Action	Date	FR Cite
NPRM	03/23/95	60 FR 15330
NPRM Comment Period End	08/31/95	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Ingrid Watson, Program Manager, Appliance Standards Division, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
Phone: 202 586-8119
Fax: 202 586-4617

RIN: 1904-AA52

873. TEST PROCEDURES FOR FLUORESCENT AND INCANDESCENT REFLECTOR LAMPS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6293 Energy Policy Act of 1992, sec 123(d)

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: The test procedures will require manufacturers to use an accredited laboratory and a standardized method to measure the energy efficiency of fluorescent and incandescent reflector lamps and to measure the color rendering index of fluorescent lamps. These measurements will determine whether products comply with the energy efficiency

DOE—EE

Final Rule Stage

standards established by PL 102-486 sec 123.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/28/94	59 FR 49468
Interim Final Rule Effective	10/28/94	
Interim Final Rule Comment Period End	12/12/94	
Final Action	08/00/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Terry Logee, Program Manager, Appliance Standards Division, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., 5E-066, Washington, DC 20585
Phone: 202 586-1689

RIN: 1904-AA61

874. ALTERNATIVE FUEL PROVIDER VEHICLE ACQUISITION MANDATE, STATE FLEET MANDATE, AND THE ALTERNATIVE FUEL VEHICLE CREDIT PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 13251 Energy Policy Act of 1992, sec 501; 42 USC 13257(o) Energy Policy Act of 1992, sec 507(o); 42 USC 13258 Energy Policy Act of 1992, sec 508; 42 USC 13261 to 13263 Energy Policy Act of 1992, sec 511 to 513

CFR Citation: 10 CFR 490

Legal Deadline: Final, Statutory, January 1, 1994.

In addition, the statute requires final rules by 10/24/93, for electricity providers who purchase electric vehicles.

Abstract: These rules are required by the Energy Policy Act of 1992 in order to implement statutorily imposed alternative fueled vehicle acquisition requirements that become effective by operation of law on September 1, 1995, when model year 1996 begins. These statutory requirements apply to certain alternative fuel providers and some State government vehicle fleets. The proposed rules principally cover: (1) Required interpretations necessary for affected entities to determine whether and to what extent the statutory requirements apply; (2) required procedures for exemptions and administrative remedies; and (3) a

program of marketable credits to reward those who voluntarily acquire vehicles in excess of mandated requirements or before the requirements take effect, and to allow use of such credits in order to demonstrate compliance with those requirements.

Timetable:

Action	Date	FR Cite
NPRM	02/28/95	60 FR 10970
NPRM Comment Period End	05/01/95	
Final Action	04/00/96	
Final Action Effective	05/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: State

Additional Information: The program will require acquisitions starting with model-year 1997, which begins September 1, 1996. All percentage requirements will also be delayed 1 model-year.

Agency Contact: Kenneth R. Katz, Program Manager, Office of Alternative Fuels, EE-33, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-6116
Fax: 202 586-1610

RIN: 1904-AA64

875. CLOTHES WASHER TEST PROCEDURE AMENDMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: Temperature Selection Lockout Issue: Test procedure requires revision to address the issue of temperature selections which are not offered (locked out) of the normal cycle. Clothes washers being sold with these features use estimated energy consumption. DOE has concluded that an industry interpretation of the clothes washer test procedure, while inconsistent with the underlying purpose of the test procedure, has sufficient legal basis to necessitate an amendment of the test procedure in

order to avoid material understatement of actual energy consumption.

General Test Procedure Revision: The test procedure is being updated to incorporate waivers regarding water heating clothes washers and to address the testing of innovative clothes washers (i.e. high spin speed and automatic water fill). In addition, a future test procedure proposed by AHAM to be effective when the next clothes washer standard goes into effect, is being considered. The significant impact of this test procedure is to update consumer usage habits which will result in approximately a 30 percent reduction in energy use.

Timetable:

Action	Date	FR Cite
NPRM	05/24/95	60 FR 27442
NPRM Comment Period End	07/31/95	
Final Action	07/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: P. Marc LaFrance, Program Manager, Appliance Standards Division, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-7140

RIN: 1904-AA68

876. NATIONAL VOLUNTARY RESIDENTIAL ENERGY EFFICIENCY RATING GUIDELINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 8236

CFR Citation: 10 CFR 437

Legal Deadline: Final, Statutory, April 24, 1994.

Abstract: DOE is required to establish by rule national voluntary guidelines for home energy rating system. The guidelines are designed to encourage uniformity with regard to systems for rating the annual energy efficiency of residential buildings. The guidelines may be used to enable and encourage the assignment of energy efficiency ratings to residential buildings and the development of criteria for attractive financial instruments for energy efficient homes.

DOE—EE

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	07/25/95	60 FR 37949
NPRM Comment Period End	10/23/95	
Final Action	05/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:**
Undetermined**Agency Contact:** Robert Mackie,
Program Manager, EE-432, Department
of Energy, Energy Efficiency and
Renewable Energy, 1000 Independence
Avenue SW., Washington, DC 20585
Phone: 202 586-7892**RIN:** 1904-AA74**877. METHODOLOGY AND
PROCEDURES FOR LIFE CYCLE
COSTING UNDER THE ENERGY
POLICY ACT OF 1992****Priority:** Substantive, Nonsignificant**Reinventing Government:** This
rulemaking is part of the Reinventing
Government effort. It will revise text in
the CFR to reduce burden or
duplication, or streamline
requirements.**Legal Authority:** 42 USC 8287 Energy
Policy Act of 1992, Sec 152**CFR Citation:** 10 CFR 436**Legal Deadline:** None**Abstract:** This action amends existing
procedures to clarify the application of
the life cycle costing methodology to
water conservation in Federal
buildings. Section 152 amended the
legislatively mandated Federal Energy
Management Program to include
conservation and the efficient use of
water. This rulemaking provides
Federal energy managers a rational
economic basis for evaluation.**Timetable:**

Action	Date	FR Cite
NPRM	08/25/95	60 FR 44286
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal**Agency Contact:** K. Dean Devine, PE.,
Sr. Engineer (EE-92), Department of
Energy, Energy Efficiency and
Renewable Energy
Phone: 202 586-6784
Fax: 202 586-3000**RIN:** 1904-AA80**878. STATE ENERGY PROGRAM****Priority:** Substantive, Nonsignificant**Reinventing Government:** This
rulemaking is part of the Reinventing
Government effort. It will revise text in
the CFR to reduce burden or
duplication, or streamline
requirements.**Legal Authority:** 42 USC 6321 et seq;
42 USC 7101 et seq**CFR Citation:** 10 CFR 420**Legal Deadline:** None**Abstract:** In anticipation that Congress
will direct the Department to
consolidate the Institutional
Conservation Program and the State
Energy Conservation Program (and
possibly other programs now operated
separately), the Department will
publish an interim final rule. The
consolidated program will be known as
the State Energy Program and will be
based on the regulations for the State
Energy Conservation Program (10 CFR
part 420) as revised to effect the
consolidation.**Timetable:**

Action	Date	FR Cite
Final Action	08/00/96	

Small Entities Affected: None**Government Levels Affected:** State,
Local, Tribal**Agency Contact:** Thomas Stapp,
Department of Energy, Energy
Efficiency and Renewable Energy, EE-
531, 1000 Independence Avenue SW.,
Washington, DC 20585
Phone: 202 426-1654**RIN:** 1904-AA81

DEPARTMENT OF ENERGY (DOE)

Long-Term Actions

Energy Efficiency and Renewable Energy (EE)

**879. ENERGY EFFICIENCY
STANDARDS FOR POOL HEATERS,
DIRECT HEATING EQUIPMENT,
MOBILE HOME FURNACES, KITCHEN
RANGES AND OVENS, OIL AND GAS
WATER HEATERS, AND ROOM AIR
CONDITIONERS****Priority:** Economically Significant**Reinventing Government:** This
rulemaking is part of the Reinventing
Government effort. It will revise text in
the CFR to reduce burden or
duplication, or streamline
requirements.**CFR Citation:** 10 CFR 430.32**Timetable:**

Action	Date	FR Cite
ANPRM	09/28/93	55 FR 39624
NPRM	03/04/94	59 FR 10464
Final Action	00/00/00	

Small Entities Affected: None**Government Levels Affected:** State,
Local**Agency Contact:** Carl Adams
Phone: 202 586-7140**RIN:** 1904-AA38**880. ENERGY EFFICIENCY
STANDARDS FOR REFRIGERATORS,
REFRIGERATOR-FREEZERS, AND
FREEZERS****Priority:** Economically Significant**Reinventing Government:** This
rulemaking is part of the Reinventing
Government effort. It will revise text in
the CFR to reduce burden or
duplication, or streamline
requirements.**CFR Citation:** 10 CFR 430.32**Timetable:**

Action	Date	FR Cite
ANPRM	09/08/93	58 FR 47326
NPRM	07/20/95	60 FR 37338
NPRM Comment Period End	11/02/95	
Final Action	00/00/00	

Small Entities Affected: None**Government Levels Affected:** State,
Local**Agency Contact:** Edward Pollock
Phone: 202 586-7140**RIN:** 1904-AA47**881. STATE AND LOCAL INCENTIVES
PROGRAM: ALTERNATIVE FUELS****Priority:** Other Significant**CFR Citation:** 10 CFR 490

DOE—EE

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	03/21/95	60 FR 15020
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Marcy A. Rood (EE-33)

Phone: 202 586-8161

Fax: 202 586-1558

RIN: 1904-AA66

882. ENERGY EFFICIENCY STANDARDS FOR DISHWASHERS, CLOTHES WASHERS, AND CLOTHES DRYERS

Priority: Economically Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 10 CFR 430

Timetable:

Action	Date	FR Cite
ANPRM	11/14/94	59 FR 56423
ANPRM Comment Period Extended	04/17/95	60 FR 5880
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: P. Marc LaFrance

Phone: 202 586-7140

RIN: 1904-AA67

883. ENERGY EFFICIENCY STANDARDS FOR LAMP BALLASTS

Priority: Economically Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 10 CFR 430.32

Timetable:

Action	Date	FR Cite
ANPRM	09/28/90	55 FR 39624
NPRM	03/04/94	59 FR 10464
Revised NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Terry Logee

Phone: 202 586-1689

RIN: 1904-AA75

884. ENERGY EFFICIENCY STANDARDS FOR WATER HEATERS

Priority: Economically Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 10 CFR 430.32

Timetable:

Action	Date	FR Cite
ANPRM	09/28/90	55 FR 39624
NPRM	03/04/94	59 FR 10464
Revised NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Byran Berringer

Phone: 202 586-7140

RIN: 1904-AA76

885. ENERGY EFFICIENCY STANDARDS FOR CENTRAL AIR CONDITIONERS AND HEAT PUMPS

Priority: Economically Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 10 CFR 430.32

Timetable:

Action	Date	FR Cite
ANPRM	09/08/93	58 FR 47326
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Michael Raymond

Phone: 202 586-9611

RIN: 1904-AA77

886. ENERGY EFFICIENCY STANDARDS FOR FURNACES

Priority: Economically Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 10 CFR 430.32

Timetable:

Action	Date	FR Cite
ANPRM	09/08/93	58 FR 47326
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Cyrus Nasseri

Phone: 202 586-9138

RIN: 1904-AA78

DEPARTMENT OF ENERGY (DOE)

Completed Actions

Energy Efficiency and Renewable Energy (EE)

887. DEFINITIONS FOR CERTAIN FLUORESCENT AND INCANDESCENT LAMPS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6293 Energy Policy Act of 1992, sec. 123(d)

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: This action would define certain incandescent and fluorescent lamps—an action that would exempt them from efficiency standards imposed by the Energy Policy Act of 1992 and relieve these product

DOE—EE

Completed Actions

manufacturers from any related regulatory burden.

Timetable:

Action	Date	FR Cite
NPRM	09/28/94	59 FR 49478
NPRM Comment Period End	12/12/94	
Merged into RIN 1904-AA61	03/12/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Terry Logee, Program Manager, Appliance Standards Division, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-1689

RIN: 1904-AA70

888. WEATHERIZATION ASSISTANCE PROGRAM—AMENDMENT

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6861

CFR Citation: 10 CFR 440

Legal Deadline: None

Abstract: Will change the formula for distributing funds among the States under the Weatherization Program. The revised formula will increase equity, among the States, of funded distributions under the program, while

preserving existing State program capabilities.

Timetable:

Action	Date	FR Cite
NPRM	01/23/95	60 FR 4480
Interim Final Rule	06/05/95	60 FR 29469
Final Action	12/15/95	60 FR 64314
Final Action Effective	12/15/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Greg Reamy, Weatherization Assistance Program, EE-532, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 426-1677

RIN: 1904-AA73

DEPARTMENT OF ENERGY (DOE)

Proposed Rule Stage

Defense and Security Affairs (DSA)

889. POLICIES ON INFORMATION CLASSIFICATION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: EO 12958; 42 USC 2161; 42 USC 2162

CFR Citation: 10 CFR 1045

Legal Deadline: Final, Statutory, October 16, 1995.
EO 12958 requires implementation regulation by 10/16/95

Abstract: This regulation establishes the policies and procedures which implement requirements of the Atomic Energy Act for the classification and declassification of information as Restricted Data and Formerly Restricted Data and which implement the requirements of EO 12958 concerning Classified National Security Information that directly affect the public. This regulation prescribes procedures to be used by all Agencies in dealing with Restricted Data and Formerly Restricted Data, and describes how members of the public may request DOE National Security Information and appeal DOE

classification decisions regarding such requests.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Janet O'Connell, Secrecy Specialist, Department of Energy, Office of Declassification (NN-521), Washington, DC 20585
Phone: 301 903-1113
Fax: 301 903-1230

RIN: 1992-AA21

DEPARTMENT OF ENERGY (DOE)

Long-Term Actions

Defense and Security Affairs (DSA)

890. PERSONNEL ASSURANCE PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 711

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: David McConagha or Tom Stepan
Phone: 301 903-3463

RIN: 1992-AA14

DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)
Proposed Rule Stage
891. ENERGY BOARD OF CONTRACT APPEALS; ORGANIZATION, FUNCTIONS, AND AUTHORITIES; RULES OF PRACTICE

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 41 USC 601 et seq

CFR Citation: 10 CFR 1023

Legal Deadline: None

Abstract: Update statement of Board organization, functions and authorities; update rules of practice for contract appeals to provide for alternative dispute resolution (ADR) and other purposes.

Timetable:

Action	Date	FR Cite
NPRM	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: E. Barclay Van Doren, Chairman, Board of Contract Appeals, Department of Energy, 4040 N. Fairfax Drive, Rm 1006, Arlington, VA 22203
Phone: 703 235-2700

RIN: 1901-AA30

892. FREEDOM OF INFORMATION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 552

CFR Citation: 10 CFR 1004

Legal Deadline: None

Abstract: On October 23, 1991, DOE proposed to amend the procedures and principles to be applied in responding to requests for records under the Freedom of Information Act (FOIA) 5 USC 552. The proposal updated names and addresses of organizational entities, and updated guidelines for the schedule of fees associated with processing requests. A proposed section on policies clarified DOE's operation of a first-in, first-out policy in responding to FOIA requests, and the role of the Office of Hearings and Appeals was

clarified. The proposal also included a statement of DOE policy on contractor records.

On December 12, 1994, DOE adopted the contractor records policy, with certain modifications. DOE expects to take final action on the remainder of the proposal in the near future.

The new regulations will clarify the FOIA process by clearly defining the roles of the FOIA Officer and the Denying Official. The new regulations will be written in a more customer-friendly

Timetable:

Action	Date	FR Cite
Final Rule (Contractor Records)	12/12/94	59 FR 63882
NPRM	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: All

Agency Contact: Gary Stern, Deputy Assistant General Counsel for Information Law, Office of GC (GC-80), Department of Energy, Office of General Counsel, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8618

RIN: 1901-AA32

893. NUCLEAR SAFETY MANAGEMENT

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 2201; 42 USC 7191

CFR Citation: 10 CFR 830

Legal Deadline: None

Abstract: This action will add regulations under 10 CFR 830 to establish nuclear safety management requirements for the Department's nuclear facilities. These requirements stem from the Department's obligations to assure adequate protection and to hold contractors who manage and operate these facilities accountable and responsible for safe operations. Under phase 1 of this action, major requirements will include conduct of operations, safety analysis reports, technical safety requirements training,

maintenance, unreviewed safety questions and occurrence reporting. Under phase 2 of this action, major requirements will include nuclear design criteria, fire protection, natural phenomena hazards mitigation, and nuclear criticality safety. An initial phase adopted a quality assurance rule and definitions.

Timetable:

Initial Phase

NPRM 12/09/91 (56 FR 64316)
Final Rule 04/05/94 (59 FR 15843)

Phase I

NPRM 12/09/91 (56 FR 64316)
Final Rule 04/00/96

Phase II

NPRM 10/00/96
Final Rule 10/00/97

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Richard Stark, Nuclear Safety and Policy Standards (EH-31), Department of Energy, Washington, DC 20545
Phone: 301 903-4407

RIN: 1901-AA34

894. THE OFFICE OF ENERGY RESEARCH FINANCIAL ASSISTANCE PROGRAM

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 2051; 42 USC 5817; 42 USC 5901 et seq; 42 USC 7254; 42 USC 7256; 31 USC 6301 et seq

CFR Citation: 10 CFR 605

Legal Deadline: None

Abstract: Action to be taken will improve grants administration by providing a more streamlined and uniform approach to post-award requirements, yet maintain stewardship and accountability responsibilities.

Timetable:

Action	Date	FR Cite
NPRM	08/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Jean A. Morrow, Grants Policy Analyst (ER-64),

DOE—ENDEP

Proposed Rule Stage

Department of Energy, Office of Energy Research, Washington, DC 20545
Phone: 301 903-2452

RIN: 1901-AA54

895. PAYMENTS FOR SPECIAL BURDENS AND IN LIEU OF TAXES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2208 Atomic Energy Act of 1954, sec 168

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: To revise the Department of Energy's policy on making payments for special burdens and in lieu of taxes to State and local taxing jurisdictions pursuant to the Atomic Energy Act of 1954. Prior to the 1987 issuance of DOE Order 2100.12, the Department and its predecessor agencies approved such payment requests on an ad hoc basis. To ensure all eligible taxing jurisdictions are provided appropriate opportunity to comment, the revised policy is being established through the rulemaking process. The Department anticipates no added costs by issuing the revised policy as a regulation rather than as an internal directive revision.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Local

Agency Contact: Robert W. Gordon, Financial Policy Analyst, Office of Financial Policy, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-4860

RIN: 1901-AA58

896. OCCUPATIONAL RADIATION PROTECTION—AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 7191

CFR Citation: 10 CFR 835

Legal Deadline: None

Abstract: 10 CFR part 835 establishes the basic requirements for DOE contractor and subcontractor activities to ensure radiation protection of occupational workers at DOE facilities. See 58 FR 65458 (December 14, 1993). The proposed amendment to Part 835

would include several items not previously covered such as sealed radioactive source accountability and control, and surface contamination values for tritium. Sealed source accountability and control requirements currently appear in DOE Notice 5400.9, and tritium surface radioactivity values in the Radiation Control (RADCON) Manual. This rulemaking stems from DOE's ongoing effort to strengthen the protection of health and safety from the nuclear and radiological hazards posed by these DOE facilities.

We are reviewing this action in the context of DOE's recently announced accelerated DOE Order Reduction Initiative. This is to ensure both consistency of approach and consultation with DOE stakeholders.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Joel Rabovsky, Health Physicist (EH-52), Office of Worker Protection and Hazards Mgmt, Department of Energy, 19901 Germantown Rd., Germantown, MD 20874-1290
Phone: 301 903-2135

RIN: 1901-AA59

897. PRIVACY ACT—EXEMPTION OF AN INSPECTOR GENERAL SYSTEM OF RECORDS

Priority: Other

Legal Authority: 5 USC 552a

CFR Citation: 10 CFR 1008

Legal Deadline: None

Abstract: The purpose of this action is to exempt one system of records from certain subsections of the Privacy Act (5 U.S.C. 552a). The system of records is Inspection Abstract Report Files of the Office of Inspector General (DOE-83). These rules will enable the Office of the Inspector General to carry out its administrative, analytical, and investigatory duties and responsibilities.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: GayLa D. Sessoms, Director, FOIA/Privacy Act Division, Office of the Executive Secretariat, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-5955

RIN: 1901-AA62

898. PRIVACY ACT EXEMPTION OF CERTAIN CONTRACTOR EMPLOYEE REPRISAL COMPLAINT AND INVESTIGATION SYSTEM OF RECORDS

Priority: Other

Legal Authority: 5 USC 552a

CFR Citation: 10 CFR 1008

Legal Deadline: None

Abstract: This action would amend the Department's Privacy Act Regulations 10 CFR 1008, by adding a new system of records to the list of systems exempted from certain provisions of the Act. The proposed new system of records will be titled "Contractor Employee Reprisal Complaint and Investigation Files (DOE-89)." These exemptions are needed to enable the Office of Contractor Employee Protection to perform its administrative, analytical and investigatory duties and responsibilities.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: GayLa D. Sessoms, Director, FOIA/Privacy Act Division, Office of the Executive Secretariat, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-5955

RIN: 1901-AA66

899. • AMENDMENTS TO NEPA REGULATIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7254; 42 USC 4321 et seq

DOE—ENDEP

Proposed Rule Stage

CFR Citation: 10 CFR 1021**Legal Deadline:** None

Abstract: The Department is proposing to amend its NEPA regulations (10 CFR 1021) to streamline the NEPA process and make it more useful to decision makers and the public, and to reflect the changing missions of the Department. The most significant amendments include: (1) eliminating the requirement to prepare an environmental impact statement implementation plan; (2) streamlining the requirements for publication of record of decision and the format of findings of no significant impact; and (3) adding 17 new categorical exclusions and modifying or clarifying 27 existing categorical exclusions.

Timetable:

Action	Date	FR Cite
NPRM	02/20/96	61 FR 6414
NPRM Comment Period End	04/05/96	

Action	Date	FR Cite
Final Action	06/00/96	
Final Action Effective	07/00/96	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: John Pulliam, Project Leader (EH-422), Department of Energy, Office of NEPA Policy and Assistance, 1000 Independence Avenue SW., Washington, DC 20585-0119
Phone: 202 586-4597

RIN: 1901-AA67

900. • GENERAL GUIDELINES FOR THE RECOMMENDATION OF SITES FOR NUCLEAR WASTE REPOSITORY

Priority: Other Significant**Legal Authority:** 42 USC 10132**CFR Citation:** 10 CFR 960**Legal Deadline:** None

Abstract: This action would implement the guidelines that will be used by the Department in deciding whether to

recommend a site for the development of the geologic repository for the disposal of high-level radioactive waste and spent nuclear fuel. The amended guidelines will reflect statutory and policy changes that have occurred since the Nuclear Waste Policy Act was passed in 1982. The amendments will also be based on the experience the Department has gained over the last decade of investigative efforts.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Agency Contact: Susan Rives, Counsel, Department of Energy, Yucca Mountain Site Characterization Office, PO Box 98608, Las Vegas, NV 89193
Phone: 702 794-7905
Fax: 702 794-7907

RIN: 1901-AA72

DEPARTMENT OF ENERGY (DOE) Departmental and Others (ENDEP)

Final Rule Stage

901. RADIATION PROTECTION OF THE PUBLIC AND THE ENVIRONMENT

Priority: Other Significant**Legal Authority:** 42 USC 2201; 42 USC 7191**CFR Citation:** 10 CFR 834**Legal Deadline:** None

Abstract: This action would add a new 10 CFR 834 to DOE's regulations establishing a body of rules setting forth the basic requirements for ensuring radiation protection of the public and environment in connection with DOE nuclear activities. These requirements stem from the Department's ongoing effort to strengthen the protection of health, safety, and the environment from the nuclear, radiological, and chemical hazards posed by these DOE activities. Major elements of the proposal included a dose limitation system for protection of the public, requirements for liquid discharges; reporting and monitoring requirements; and residual radioactive material requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/25/93	58 FR 16268

Action	Date	FR Cite
NPRM Comment Period End	06/22/93	
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Agency Contact: Andrew Wallo, III, Director, Air, Water and Radiation Div. (EH-232), Office of Environmental Guidance, Department of Energy, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-4996

RIN: 1901-AA38

902. REDESIGN AND REVISION OF WHOLESALE POWER AND TRANSMISSION RATES

Priority: Other**Legal Authority:** 16 USC 839e**CFR Citation:** Not applicable**Legal Deadline:** None

Abstract: This is an action by the Bonneville Power Administration (BPA) to redesign and revise its wholesale power and transmission rates. The principal purposes of this action would

be to allow BPA to recover sufficient revenues to timely meet its repayment and other cost recovery obligations, to be a reliable and competitive power supplier, to send appropriate price signals to customers, and to otherwise meet BPA ratemaking standards set forth in various statutes.

Timetable:**Transmission Rates**

Notice of Intent to Revise Rates 12/28/94 (59 FR 66946)
NPRM 02/14/95 (60 FR 8505)
Draft Record of Decision 04/00/96
Final Record of Decision 05/00/96

Wholesale Power Rates

Notice of Intent to Revise Rates 12/28/94 (59 FR 66947)
NPRM 02/14/95 (60 FR 8496)
Draft Record of Decision 04/00/96
Final Record of Decision 05/00/96

Small Entities Affected: None**Government Levels Affected:** None

Additional Information: On February 14, 1995, BPA also proposed comparable transmission terms and conditions (60 FR 8511).

This action would have been excluded from the regulatory agenda since it is being undertaken in accordance with the formal ratemaking provisions of

DOE—ENDEP

Final Rule Stage

section 7(i) of the Pacific Northwest Electric Power Planning and Conservation Act (16 USC 839e(i)). This action is being included, however, in order to provide the public with the fullest notice of DOE's rulemaking activities.

For these ratemakings, BPA's final action is characterized as the "final proposal," reflected in a final record of decision filed, together with the record, with the Federal Energy Regulatory Commission for confirmation and approval.

Agency Contact: Randy Roach, Attorney/Legal Services, Department of Energy, Bonneville Power Administration - APR, P.O. Box 3621, Portland, OR 97208
Phone: 503 230-4201
RIN: 1901-AA64

DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)

Long-Term Actions

903. ELECTRIC POWER SYSTEM PERMITS AND REPORTS; APPLICATIONS; ADMINISTRATIVE PROCEDURES AND SANCTIONS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 10 CFR 205

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ellen Russell
Phone: 202 586-9624

RIN: 1901-AA19

904. ENFORCEMENT OF EMPLOYEE SAFETY STANDARDS AT NUCLEAR WEAPONS FACILITIES

Priority: Other Significant

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
ANPRM	08/26/94	59 FR 44139
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Martin S. Mathamel
Phone: 301 903-5639
Fax: 301 903-2582

RIN: 1901-AA44

905. STANDARD CONTRACT FOR THE DISPOSAL OF SPENT NUCLEAR FUEL AND/OR HIGH-LEVEL RADIOACTIVE WASTE

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 10 CFR 961

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: David Zabransky
Phone: 202 586-9198

RIN: 1901-AA49

906. ANNOTATION OF LAND RECORDS FOR REMEDIATED PROPERTIES IN THE URANIUM MILL TAILINGS REMEDIAL ACTION PROJECT (UMTRA)

Priority: Other

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
NPRM	07/14/89	54 FR 29732
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Loretta Fahy
Phone: 301 903-3895
Fax: 301 903-3877

RIN: 1901-AA57

907. • PRIVACY ACT SYSTEM OF RECORDS UPDATE

Priority: Other

Legal Authority: 5 USC 552a

CFR Citation: 10 CFR 1008

Legal Deadline: None

Abstract: This action will amend the Department's Privacy Act Regulations, 10 CFR 1008, by deleting Privacy Act system notices no longer used by the Department. It will also update the remaining systems, many of which require minor amendments to location, authority, purpose, storage, or system manager.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Gayla D. Sessoms, Director, FOIA and Privacy Act Division, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-5595
Fax: 202 586-0575
Email: gayla.sessoms@hq.doe.gov

RIN: 1901-AA69

908. • PRIVACY ACT SYSTEM OF RECORDS AMENDMENT FOR EMPLOYEE ASSISTANCE PROGRAM

Priority: Other

Legal Authority: 5 USC 552a

CFR Citation: 10 CFR 1008

Legal Deadline: None

Abstract: This action will amend the Department's Privacy Act Regulations, 10 CFR 1008, by expanding an existing system of records to include new records. The system, "DOE-34, Employee Assistance Program (Alcohol and Drug Abuse Program)," will be renamed "DOE-34, Employee Assistance Program (EAP) Records" and amended to include assistance given to

DOE—ENDEP

Long-Term Actions

employees on all behavioral problems or issues. The notice also will propose to increase the number of locations for the system, establish new routine uses, delete some existing routine uses, and update information related to the system.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Gayla D. Sessoms, Director, FOIA and Privacy Act Division, Office of the Executive Secretariat, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-5595
Fax: 202 586-0575
Email: gayla.sessoms@hq.doe.gov

RIN: 1901-AA70

909. • ENVIRONMENTAL MANAGEMENT FINANCIAL ASSISTANCE PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 6301 to 6308; 42 USC 7254; 42 USC 7256

CFR Citation: 10 CFR 600

Legal Deadline: None

Abstract: The purpose of this action is to establish and implement policies and procedures applicable to the award and administration of grants and cooperative agreements by the Office of Environmental Management (EM) in the areas of: environmental waste management, environmental restoration, pollution prevention and supporting technologies, decommissioning and decontamination activities, technology integration and transfer, environmental education and transportation technologies as it relates

to environmental restoration and waste management.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Trina M. Porter, Contract Management Specialist, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-7615
Fax: 202 586-9469
Email: trina.porter@em.doe.gov

RIN: 1901-AA71

DEPARTMENT OF ENERGY (DOE) Departmental and Others (ENDEP)

Completed Actions

910. FINANCIAL ASSISTANCE PROGRAM FOR EDUCATION PURPOSES

Priority: Other Significant

Legal Authority: 42 USC 7254; 42 USC 7256

CFR Citation: 10 CFR 604

Legal Deadline: None

Abstract: This rule will support use of financial assistance awards by the Office of Science Education Programs to promote vital program missions. In addition, the rule procedures will facilitate an open and competitive process for obtaining financial assistance awards. The rule will supplement, and not supplant, DOE's generic financial assistance rules, 10 CFR Part 600.

Timetable:

Action	Date	FR Cite
Withdrawn	01/08/96	

Small Entities Affected: Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Michael Wolfe, Senior Program Manager (ET-31), Office of Science Education Programs, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-5462
Fax: 202 586-0019
Email: MICHAEL.WOLFE@HQ.DOE.GOV

RIN: 1901-AA61

911. • PRIVACY ACT SYSTEM OF RECORDS NOTICE

Priority: Other

Legal Authority: 5 USC 552a

CFR Citation: 10 CFR 1008

Legal Deadline: None

Abstract: This action amends the Department's Privacy Act Regulations, 10 CFR 1008, by adding a new system of records entitled "DOE-88,

Epidemiologic and Other Health Studies, Surveys, and Surveillances." This system will contain records from joint epidemiologic studies conducted by the Department of Health and Human Services and the Department of Energy.

Timetable:

Action	Date	FR Cite
Final Action	01/30/96	61 FR 3014
Final Action Effective	03/01/96	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: GayLa D. Sessoms, Director, FOIA and Privacy Act Division, Office of the Executive Secretariat, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-5595
Fax: 202 586-0575
Email: gayla.sessoms@hq.doe.gov

RIN: 1901-AA68

DEPARTMENT OF ENERGY (DOE)**Proposed Rule Stage****Office of Procurement and Assistance Management (PR)****912. DEPARTMENT OF ENERGY
PROPERTY MANAGEMENT
REGULATIONS; MISCELLANEOUS
PERSONAL PROPERTY****Priority:** Other**Legal Authority:** 42 USC 7254**CFR Citation:** 41 CFR 109**Legal Deadline:** None

Abstract: Updates the Property Management Regulations regarding management of the Department's personal property. DOE Property Management Regulations will be updated to incorporate recently developed policy in the areas of High Risk personal property, math and science equipment gifts program and the transfer of personal property identified for economic development near DOE sites that are being reconfigured or closed. Revision also includes coverage on contractor self-assessment program, and expanded duties of the Organizational Property Management Officers. Many of these changes are a result of Contract Reform, streamlining and reinvention initiatives.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	
Final Action	05/00/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Julia Harman, Supply Management Representative, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-1435
Fax: 202 586-9356

RIN: 1991-AA28**913. DEAR: FINANCIAL
MANAGEMENT CLAUSES****Priority:** Other**Legal Authority:** 42 USC 7254; 40 USC 486(c)**CFR Citation:** 48 CFR 970**Legal Deadline:** None

Abstract: This rule revises selected financial management clauses and clarifies language in existing clauses. It will strengthen M&O contractor financial management and make the regulation easier to understand.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	
Final Action	02/00/97	

Small Entities Affected: None**Government Levels Affected:** None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Michael L. Righi, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8175

RIN: 1991-AB02**914. DEBARMENT AND SUSPENSION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7254; 40 USC 486**CFR Citation:** 48 CFR 909.4**Legal Deadline:** None

Abstract: This rule removes the current regulation at 10 CFR 1035 and recodifies the regulation at 48 CFR Part 909 to revise and streamline procedures for debarment and suspension of DOE procurement contracts. The rule also amends 10 CFR 1036 which governs DOE nonprocurement and grants program to provide consistency between DOE and E.O. 12689 regarding a contractor or awardee debarred or suspended by one Federal agency shall also be debarred or suspended from contracting with or receiving awards from all other agencies.

Timetable:

Action	Date	FR Cite
NPRM	02/02/96	60 FR 3877
NPRM Comment Period End	04/02/96	
Final Action	09/00/96	

Small Entities Affected: None**Government Levels Affected:** None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Cynthia Yee, Procurement Analyst, Department of Energy, Office of Procurement and

Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-1140

RIN: 1991-AB24**915. DEAR: REGULATORY
REINVENTION-PHASE III****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7254; 40 USC 4861(c)**CFR Citation:** 48 CFR 901 to 971**Legal Deadline:** None

Abstract: This action represents the third phase of DOE's effort to reinvent existing regulatory material. It will eliminate unnecessary material; streamline operations; reduce constraints, prescriptive requirements and administrative processes; and make requirements outcome rather than process oriented.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	12/00/96	

Small Entities Affected: None**Government Levels Affected:** None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Kevin Smith, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8189
Fax: 202 586-0545

RIN: 1991-AB25**916. REVISIONS TO
ORGANIZATIONAL CONFLICTS OF
INTEREST****Priority:** Other**Legal Authority:** 42 USC 7254; 40 USC 486(c)**CFR Citation:** 48 CFR 909; 48 CFR 952; 48 CFR 970

DOE—PR

Proposed Rule Stage

Legal Deadline: None

Abstract: The Department is proposing to amend its regulation to conform the DOE's Organizational Conflicts of Interest (OCI) policy to the extent practical to the Governmentwide requirements of the FAR and OEPP policy letter 89-1.

Public Laws 93-577 and 93-275 establish unique requirements regarding the Department's OCI practices preventing DOE from simply following the FAR.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Robert Webb, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8264
Fax: 202 586-0545

RIN: 1991-AB26

917. CONTRACT REFORM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 2201; 42 USC 7254

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: This action would amend the Department of Energy Acquisition Regulation to implement certain key recommendations of the Department's contract reform initiative. Changes are made to the following areas: fines, penalties, third-party liability and property liability; requirements for contractor make-or-buy plans; fee policy for profit-making entities; fee policy for non-profit-making entities; payment of fee; laws, regulations, and Department directives; environment;

ownership of records; and contractor overtime. A related action, RIN 1991-AB09 on Competition for Management and Operating Contracts, completes the Department's contract reform changes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Connie Fournier, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8245
Fax: 202 586-0545

RIN: 1991-AB28

918. • FASA 1994, SECTIONS 2051, 2151, AND 2192

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 9

Legal Deadline: None

Abstract: Revises policy to implement FASA statutory provisions related to contract financing and allowable costs.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Terrence Sheppard, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave SW., HR-51, Washington, DC 20585
Phone: 202 586-8174
Fax: 202 586-0545

RIN: 1991-AB29

919. • SECURITY, COUNTERINTELLIGENCE, AND OPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 917; 48 CFR 970

Legal Deadline: None

Abstract: Revises policy for processing contractor employee security clearance requests, establishes counterintelligence procedures for contractors involved in classified or sensitive programs and promotes exercise of options as a performance incentive.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Richard Langston, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave SW., HR-51, Washington, DC 20585
Phone: 202 586-8247
Fax: 202 586-0545

RIN: 1991-AB30

920. • FARA, DOE CERTIFICATION REQUIREMENTS

Priority: Other

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 9

Legal Deadline: NPRM, Statutory, August 3, 1996.

Abstract: The Federal Acquisition Reform Act of 1996 requires each agency to review their procurement regulations that contain certification requirements not specifically imposed by statute to determine whether they should be eliminated.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a

DOE—PR

Proposed Rule Stage

statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Robert Webb, Procurement Analyst (HR-51),

Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8264

Fax: 202 586-0545

RIN: 1991-AB31

DEPARTMENT OF ENERGY (DOE)

Final Rule Stage

Office of Procurement and Assistance Management (PR)

921. AMENDMENT TO WORKPLACE SUBSTANCE ABUSE PROGRAMS AT DOE SITES

Priority: Other Significant

Legal Authority: 42 USC 2012 et seq, Atomic Energy Act of 1954

CFR Citation: 10 CFR 707

Legal Deadline: None

Abstract: This action will amend the Department's rule governing the use of illegal drugs at DOE sites to ensure that substance abuse programs include provisions that also address misuse and abuse of alcohol. DOE expects to mitigate the potential for harm to the environment and to the public health and safety at DOE sites by contractor employees and other individuals performing health or safety sensitive functions. Cost incurred will affect primarily cost reimbursement type contracts for managing, operating, constructing, and servicing DOE facilities and certain other on-site contractors and subcontractors.

Timetable:

Action	Date	FR Cite
NPRM	07/22/92	57 FR 32664
NPRM Comment Period End	09/21/92	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Juanita E. Smith, Special Assistant, Substance Abuse, HR-524, Department of Energy, Office of Procurement and Assistance

Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-9033

RIN: 1991-AA90

922. COMPETITION FOR MANAGEMENT AND OPERATING CONTRACTS

Priority: Routine and Frequent

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: Revise policy to place greater emphasis on competition for management and operating contracts. This action is part of the Department's Contract Reform initiative.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Connie Fournier, Procurement Analyst (HR-51), Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave SW., Washington, DC 20585
Phone: 202 586-8245
Fax: 202 586-0545

RIN: 1991-AB09

923. FEDERAL ACQUISITION STREAMLINING ACT IMPLEMENTATION

Priority: Other

Legal Authority: PL 103-355; 42 USC 7254; 40 USC 486(a)

CFR Citation: 48 CFR 901 to 971

Legal Deadline: None

Abstract: This action will amend the Department of Energy Acquisition Regulation to conform with the FAR changes which resulted from the Federal Acquisition Streamlining Act.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	
Final Action Effective	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: John Bashista, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8192
Fax: 202 586-0545

RIN: 1991-AB27

DEPARTMENT OF ENERGY (DOE)

Long-Term Actions

Office of Procurement and Assistance Management (PR)

924. DEAR: SECURITY PROCEDURES

Priority: Other

CFR Citation: 48 CFR 904; 48 CFR 952

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Robert Webb

DOE—PR

Long-Term Actions

Phone: 202 586-8247

RIN: 1991-AA86

925. DEAR: AMENDMENT TO WORKPLACE SUBSTANCE ABUSE PROGRAMS AT DOE SITES

Priority: Other

CFR Citation: 48 CFR 923.5; 48 CFR 970.2305

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Richard Langston

Phone: 202 586-8247

RIN: 1991-AA97

926. DEAR: REVIEW OF M&O CONTRACTOR PURCHASING SYSTEMS

Priority: Other

CFR Citation: 48 CFR 944; 48 CFR 970

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: P. Devers Weaver

Phone: 202 586-8250

RIN: 1991-AB07

927. SMALL BUSINESS SUBCONTRACTING PROGRAM

Priority: Other

CFR Citation: 48 CFR 919; 48 CFR 970

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Gwendolyn Cowan
Phone: 202 586-8159

RIN: 1991-AB17

DEPARTMENT OF ENERGY (DOE)

Completed Actions

Office of Procurement and Assistance Management (PR)

928. TECHNOLOGY TRANSFER: DOE MANAGEMENT AND OPERATING CONTRACTORS

Priority: Other

Legal Authority: PL 101-189, sec 3133; 42 USC 7256(a); PL 103-160, sec 3160

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: Public Law 101-189 amended the Stevenson-Wydler Technology Innovation Act to include DOE management and operating laboratories. Subsequently, PL 103-160 expanded the definition of a laboratory to include DOE Weapon Production Facilities. DOE will need to amend DEAR 970 to standardize the implementation of its technology transfer program.

Timetable:

Action	Date	FR Cite
NPRM	05/22/95	60 FR 27069
Final Action	12/22/95	60 FR 66510
Final Action Effective	01/22/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Howard K. Mitchell, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8190

RIN: 1991-AA63

929. LEGISLATIVE LOBBYING COST PROHIBITION

Priority: Other

Legal Authority: 42 USC 7256A

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: The existing Department of Energy Acquisition Regulation will be amended to preclude any misunderstandings between the Department and its contractors regarding the allowability of costs related to legislative lobbying.

Timetable:

Action	Date	FR Cite
NPRM	10/18/94	59 FR 52505
Final Action	12/12/95	60 FR 63645
Final Action Effective	01/11/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no

statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Michel L. Righi, Procurement Analyst (HR-521.1), Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8175

RIN: 1991-AB08

930. LIMITS ON PARTICIPATION IN CERTAIN DOE RESEARCH AND DEVELOPMENT PROGRAMS

Priority: Other Significant

Legal Authority: 42 USC 13525 Energy Policy Act of 1992, sec 2306

CFR Citation: 10 CFR 600

Legal Deadline: None

Abstract: To develop guidelines to implement section 2306 of the Energy Policy Act of 1992. Section 2306 imposes eligibility requirements for financial assistance awards under titles XX through XXIII of the Act.

Timetable:

Action	Date	FR Cite
NPRM	02/23/95	60 FR 10296
Final Action	12/20/95	60 FR 65509
Final Action Effective	01/19/96	

DOE—PR

Completed Actions

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Robert C. Marlay,
Director, Office of Science Policy, (PO-81), Department of Energy,
Departmental and Others, 1000
Independence Avenue SW.,
Washington, DC 20585
Phone: 202 586-3900

RIN: 1991-AB14**931. FINANCIAL ASSISTANCE RULES
STREAMLINING AND SIMPLIFYING
PROCEDURES****Priority:** Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 42 USC 7254; 42 USC 7256

CFR Citation: 10 CFR 600

Legal Deadline: None

Abstract: This rulemaking will modify the provisions in 10 CFR 600, subparts A and C, to streamline and simplify DOE internal procedures. This action is responsive to Executive Order 12861,

“Elimination of One-Half of Executive Branch Internal Regulations.”

Timetable:

Action	Date	FR Cite
NPRM	08/08/95	60 FR 40323
Final Action	02/26/96	61 FR 7164

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Cheryl N. Seckinger,
Procurement Analyst, Department of
Energy, Office of Procurement and
Assistance Management, 1000
Independence Avenue SW.,
Washington, DC 20585
Phone: 202 586-8192

RIN: 1991-AB23
DEPARTMENT OF ENERGY (DOE)
Office of General Counsel (OGC)

Proposed Rule Stage

**932. PAYMENT OF TRAVEL
EXPENSES OF PERSONS WHO ARE
NOT GOVERNMENT EMPLOYEES****Priority:** Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7254

CFR Citation: 10 CFR 1060

Legal Deadline: None

Abstract: The regulation needs to be revised to reflect the delegation of authority from the Office of Personnel Management to pay travel expenses of certain job applicants in traveling to preemployment interviews required by the Department.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: MaryAnn Shebek,
Deputy Assistant General Counsel,
Department of Energy, Office of General
Counsel, 1000 Independence Ave. SW.,
Washington, DC 20585
Phone: 202 586-1522

RIN: 1990-AA15**933. CONDUCT OF EMPLOYEES****Priority:** Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7211 et seq;
PL 103-160, sec 3161; EO 12674

CFR Citation: 10 CFR 1010; 5 CFR 2635

Legal Deadline: None

Abstract: The DOE regulation on conduct of employees needs to be revised to reflect the issuance of the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR 2635) and the repeal of conflict-of-interest provisions formerly applicable to DOE employees.

Timetable:

Action	Date	FR Cite
NPRM	08/00/96	

Small Entities Affected: None

Government Levels Affected:
Undetermined

Agency Contact: Susan Beard, Deputy
Assistant General Counsel for
Standards of Conduct, Department of
Energy, Office of General Counsel, 1000
Independence Ave SW., Washington,
DC 20585
Phone: 202 586-1522

RIN: 1990-AA19
DEPARTMENT OF ENERGY (DOE)
Office of General Counsel (OGC)

Final Rule Stage

934. PATENT WAIVER REGULATION**Priority:** Other

Legal Authority: 42 USC 2182; 42 USC 5908; PL 99-661

CFR Citation: 10 CFR 784

Legal Deadline: None

Abstract: The regulation provides procedures and standards for obtaining a waiver of the Government's rights in inventions made under DOE research and development contracts with entities that are not small businesses or nonprofit institutions, and terms and conditions of such waivers. Currently,

DOE waiver policy is provided in DOE Procurement Regulations (41 CFR 9-9.109-6). This regulation places DOE patent waiver policy in Title 10 of the CFR and also provides updates, revisions and clarifications to waiver policy as contained in 41 CFR 9-9.109-6.

DOE—OGC

Final Rule Stage

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.**Agency Contact:** Michael P. Hoffman, Patent Attorney (GC-62), Department of

Energy, Office of General Counsel, 1000 Independence Ave. SW., Washington, DC 20585

Phone: 202 586-3441

RIN: 1990-AA02

DEPARTMENT OF ENERGY (DOE)

Completed Actions

Office of General Counsel (OGC)

935. • REMOVAL OF OBSOLETE REGULATIONS, PART II**Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 42 USC 7101**CFR Citation:** 10 CFR 475; 10 CFR 476; 10 CFR 478**Legal Deadline:** None**Abstract:** The Department of Energy is amending the Code of Federal Regulations (CFR) to remove obsolete regulations relating to defunct programs

of financial assistance for electric and hybrid vehicle research and methane transportation research. This action is being taken in furtherance of the President's Regulatory Reinvention Initiative to eliminate obsolete regulations and streamline existing rules.

Timetable:

Action	Date	FR Cite
NPRM	12/05/95	60 FR 62318
Final Action	12/05/95	60 FR 62316
NPRM Comment Period End	01/04/96	
Final Action Effective	01/16/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Romulo L. Diaz, Jr., Director, Rulemaking Support, Office of the General Counsel, Department of Energy, Office of General Counsel, 1000 Independence Avenue SW., GC-75, Washington, DC 20585
Phone: 202 586-2902**RIN:** 1990-AA23

[FR Doc. 96-6944 Filed 05-10-96; 8:45 am]

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